

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.)	CASE NO. 1:08 CV 2755
)	
Plaintiff,)	JUDGE NUGENT
)	
v.)	<u>ORDER</u>
)	
SAP AMERICA, INC., et al.)	
)	
Defendants.)	
)	

AND NOW, this _____ day of _____, 2015, upon consideration of the SAP Defendants' Motion for Reconsideration of Motion *in Limine* No. 4 to Preclude Plaintiff from Expanding Its Fraud Claims and Making Assertions of Fraudulent Conduct Beyond the Scope of Its First Amended Complaint, and any response thereto, it is hereby **ORDERED** that the SAP Defendants' Motion is **GRANTED**; and it is further **ORDERED** that:

- 1) Plaintiff is precluded at trial from making claims, asserting arguments, and/or presenting evidence that SAP (or the other defendants) owed and violated a duty of disclosure, or that any failure to disclose amounted to fraud; and
- 2) Plaintiff is precluded at trial from making claims, asserting arguments, and/or presenting evidence that SAP (or the other defendants) made misrepresentations after the License Agreement was signed in December 2005, or that this amounted to fraud.

BY THE COURT:

Dated: _____

Hon. Donald Nugent
United States District Judge